

**REMARKS**

In the Final Office Action (the "Office Action"), claims 32-35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,481,010 to Nishikawa et al. (hereinafter, "*Nishikawa*") in view of U.S. Patent No. 6,449,654 to Blackwell et al. (hereinafter, "*Blackwell*").

Applicants propose to amend the specification to set forth their foreign priority claim and incorporation of their priority applications.

Claims 1-39 remain pending with claims 1-31 and 36-39 withdrawn from consideration. In light of the arguments presented below, Applicants traverse the rejection of claims under 35 U.S.C. § 103(a), and request the allowance of pending claims 32-35.

**I. Priority Under 35 U.S.C. § 119**

Applicants thank the Examiner for the acknowledgment of foreign priority under 35 U.S.C. § 119, and the additional acknowledgement of receipt of the certified copies of the priority documents at item 12(a) on the Office Action Summary.

**II. Claim Rejections Under 35 U.S.C. § 103(a)**

*Nishikawa* is directed to an "integrated DSS/WebTV receiver ... provid[ing] a display of DSS programs, Internet web sites, and local broadcast channels in a seamless fashion." *Nishikawa*, column 1, lines 60-65. "The DSS/WebTV receiver generates a graphical user interface (GUI), displayed on a televisions screen, for facilitating a user's navigation through the DSS, Internet, and local broadcast data." *Id.* at column 1, line 65 through column 2, line 1.

When referring to “a selection screen of the received content,” the Office Action asserts that *Nishikawa* “Figure 7 element 566 and Figure 9 and column 11 lines 56-67 teaches content that is a sports scores.” Office Action, page 4. However, the cited lines and figures of *Nishikawa* describe “a so-called picture-in-picture (PIP) region 569 that display a reduced frame size video 580 of a currently selected program and a scrolling ticker region 566 that displays ... sports scores.” *Nishikawa*, column 11, lines 60-64. Thus, while *Nishikawa* describes “a scrolling ticker region 566 that displays ... sports scores,” the cited lines in *Nishikawa* do not teach or suggest “a selection screen of the received content,” as recited in Applicants’ independent claim 32, and similarly recited in independent claims 33-35.

In addition, the Office Action states that “Figure 13 element 660 [of *Nishikawa*]... teaches content ... displayed in a different manner than content in Figure 7.” Office Action, page 7. Figure 13, element 660 of *Nishikawa* teaches a channel number. See *Nishikawa* at Figure 13. Referring to the cited lines of *Nishikawa*, in addition to the “scrolling ticker region 566,” the content in Figure 7 “includes ... icons 552-564 represent[ing] accessible screens, pull-down menus, and features that a user can display on TV.” *Nishikawa*, column 10, lines 41-47. Thus, while Figure 13, element 660 and Figure 7 may arguably teach the display of different content, i.e., scrolling ticker region 566 and channel number 660, *Nishikawa* does not teach or suggest “**when the receiving means is receiving data regarding a content to be updated, the display means performs display processing to display a selection screen of the content to be updated in a different manner from a selection screen of other received content**,” as recited in Applicants’ independent claim 32, and similarly recited in independent claim

34 (emphasis added). In addition, *Nishikawa* does not teach or suggest a "method for displaying ... a selection screen of the content to be updated in a different manner from a selection screen of the other received content while receiving data regarding the content to be updated," as recited in Applicants' independent claim 33, and similarly recited in independent claim 35 (emphasis added).

*Blackwell* does not cure the deficiencies of *Nishikawa* set forth above. *Blackwell* describes a "system and method for transmitting and receiving data." See e.g., *Blackwell*, column 2, line 21; column 4, lines 34-37. "[S]ystem 11 is used to transmit interactive program guide data to subscribers' homes [wherein] set-top boxes 166 may receive and store the interactive program guide data, generate a presentation of the data, and cause the presentation to be displayed on televisions," *Id.* at column 15, lines 21-26.

The Office Action states that "Blackwell teaches wherein when the receiving means is receiving data regarding a content to be updated performs display processing." Office Action, page 4. See also *Id.* at page 6. The Office Action further states that *Blackwell* "teaches continuously updating sports scores which means that the scores/data for a game can be displayed as content on the screen at the same time the scores/data are being received." *Id.* at page 4. See also *Id.* at page 6. However, this statement is inapplicable to the recitations of Applicants' independent claims.

*Blackwell* does not teach or suggest "**when the receiving means is receiving data regarding a content to be updated**, the display means performs display processing to display a selection screen of the content to be updated in a different manner from a selection screen of other received content," as recited in independent claim 32, and

similarly recited in independent claim 34 (emphasis added). Similarly, *Blackwell* fails to teach or suggest a “method for displaying … a selection screen of the content to be updated in a different manner from a selection screen of the other received content while receiving data regarding the content to be updated,” as recited in Applicants’ independent claim 33, and similarly recited in independent claim 35 (emphasis added).

Accordingly, neither *Nishikawa* nor *Blackwell* teach or suggest all the elements recited in Applicants’ independent claims 32, 33, 34, and 35. Accordingly, a *prima facie* case of obviousness has not been established with respect to these claims. Applicants therefore request that the Examiner withdraw the rejection of independent claims 32, 33, 34, and 35 under 35 U.S.C. § 103(a).

### **III. Conclusion**

Applicant respectfully requests that this amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing independent claims 32, 33, 34, and 35 in condition for allowance. In addition, Applicants submit that the entry of this amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

Finally, Applicants note that the Office Action contains a number of statements characterizing either the cited art or the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

In view of the foregoing amendments and remarks, Applicants respectfully request the reconsideration of this application and the timely allowance of the pending

claims. Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: December 7, 2006

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